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9 LLC

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

13 BETWEEN THE LINES
PRODUCTIONS, LLC a California
14 limited liability company,

15 Plaintiff,

16 v.

17 LIONS GATE ENTERTAINMENT
CORP., a British Columbia corporation,
18 and SUMMIT ENTERTAINMENT,
LLC, a Delaware limited liability
19 company,

20 Defendants.

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22
23
24 AND RELATED COUNTERCLAIMS.

Case No. 2:14-cv-00104-R (PJWx)

**DEFENDANT AND
COUNTERCLAIMANT SUMMIT
ENTERTAINMENT, LLC'S
NOTICE OF MOTION AND
MOTION *IN LIMINE* NO. 6 TO
EXCLUDE STATEMENTS BY
STEPHENIE MEYER
CONCERNING THE TERM "TWI-
HARD" AND EVIDENCE OF
STEPHENIE MEYER'S
RELIGIOUS BELIEFS AND ANY
TESTIMONY THEREON**

Hon. Judge Manuel L. Real

Hearing Date: November 25, 2014

Time: 9:00 a.m.

Ctrm: 8

Complaint filed: Dec. 16, 2013
Counterclaims filed: Jan. 27, 2014
Trial Date: Nov. 25, 2014

1 TO THE ABOVE-CAPTIONED COURT AND TO PLAINTIFF AND ITS
2 ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that on November 25, 2014 at 9:00 a.m., or at
4 another date and time as ordered by the Court, in the United States District Court,
5 Central District of California, located at 312 North Spring Street, Los Angeles,
6 California 90012-4701, Defendant and Counterclaimant Summit Entertainment,
7 LLC¹ (“Summit”) will and hereby does move this Court for an order precluding
8 Plaintiff and Counter-Defendant Between the Lines Productions, LLC (“BTL”) from
9 introducing: (1) evidence of statements purportedly made by the author of the
10 *Twilight* book series, Stephenie Meyer, concerning her feelings about the term
11 “Twi-hard”; and (2) evidence of Ms. Meyer’s alleged religious beliefs as a Mormon.

12 This motion is made on the grounds that neither Ms. Meyer’s feelings about
13 the term “Twi-hard” nor Ms. Meyer’s religious beliefs is relevant to any of the
14 issues in this lawsuit. Furthermore, even if relevance could be established (it
15 cannot), the evidence must be excluded because it constitutes multiple levels of
16 inadmissible and unreliable hearsay, to which no exception applies.

17 This motion is based on this notice of motion and motion, the memorandum
18 of points and authorities filed concurrently herewith, all pleadings, papers and other
19 documentary materials in the Court’s file for this action, those matters of which this
20 Court may or must take judicial notice, and such other matters as this Court may
21 consider in connection with the hearing on this matter.

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26 ¹ On October 20, 2014, the Court granted Defendant Lions Gate Entertainment
27 Corp.’s (“Lions Gate”) motion for summary adjudication as to all claims against it.
28 (Dkt. 95.) Lions Gate is no longer a party to this action.

1 This motion is made following the conference of counsel pursuant to Local
2 Rule 7-3, which took place on October 21, 2014. (Bost Decl. ISO MIL No. 1 ¶ 6.)

3 Respectfully submitted,

4 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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6 Dated: October 28, 2014

By: /s/ Jill M. Pietrini

7 Jill M. Pietrini

8 Attorneys for Defendant and Counterclaimant
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PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 1901 Avenue of the Stars, Suite 1600, Los Angeles, CA 90067-6055.

On October 28, 2014, I served true copies of the following document(s) described as **DEFENDANT AND COUNTERCLAIMANT SUMMIT ENTERTAINMENT, LLC'S NOTICE OF MOTION AND MOTION IN LIMINE NO. 6 TO EXCLUDE STATEMENTS BY STEPHENIE MEYER CONCERNING THE TERM "TWI-HARD" AND EVIDENCE OF STEPHENIE MEYER'S RELIGIOUS BELIEFS AND ANY TESTIMONY THEREON** on the interested parties in this action as follows:

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BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 28, 2014, at Los Angeles, California.

/s/ Latrina Martin
Latrina Martin

SMRH:434518033.3